

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

UNITED STATES OF AMERICA

CRIMINAL ACTION NO. 10-00293

VERSUS

JUDGE ROBERT G. JAMES

ANGELA S. LAFONTA

MAG. JUDGE KAREN L. HAYES

ORDER

On March 21, 2012, the Clerk of Court received and filed a letter motion [Doc. No. 78] from Defendant Angela S. LaFonta (“LaFonta”). LaFonta states that she has been placed at a Bureau of Prisons (“BOP”) facility more than 500 miles from her home. She moves the Court to place her at a BOP facility closer to her husband and children.

The BOP, not the Court, has the exclusive authority to determine where a prisoner is housed. Pursuant to 18 U.S.C. § 3621(B),

The Bureau may designate any available penal or correctional facility that meets minimum standards of health and habitability established by the Bureau, whether maintained by the Federal Government or otherwise and whether within or without the judicial district in which the person was convicted, that the Bureau determines to be appropriate and suitable, considering--(1) the resources of the facility contemplated; (2) the nature and circumstances of the offense; (3) the history and characteristics of the prisoner; (4) any statement by the court that imposed the sentence--(A) concerning the purposes for which the sentence to imprisonment was determined to be warranted; or (B) recommending a type of penal or correctional facility as appropriate; and (5) any pertinent policy statement issued by the Sentencing Commission pursuant to section 994(a)(2) of title 28.

In this case, the Court recommended to BOP at sentencing that LaFonta be placed at a facility as close to her home as possible, and the Court certainly has no objection if the BOP moves LaFonta closer to her family. However, the Court’s recommendation is only one factor considered by the BOP in its

placement decision, and the Court has no authority to order the BOP to move LaFonta or to place her at any particular facility. Therefore,

IT IS ORDERED that LaFonta's letter motion [Doc. No. 78] is DENIED.

MONROE, LOUISIANA, this 30th day of March, 2012.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE